

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

CASE NO.: 1:23-cv-21347-JEM

MIAMI SLICE PIZZA, LLC, a Florida
limited liability company,

Plaintiff/Counter-Defendant,

v.

CARNIVAL CORPORATION, a Florida
corporation

Defendant/Counter-Plaintiff.

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NOTICE OF DISCOVERY HEARING

Plaintiff Miami Slice Pizza, LLC (“Miami Slice”) hereby gives NOTICE of a Discovery Hearing before the Honorable Jaqueline Becerra at the James Lawrence King Federal Justice Building 99 N.E. Fourth Street, 10th Floor, Miami, Florida 33132 on Wednesday, December 13th at 1:00pm ET or as soon as possible thereafter.

Matters to be Heard

Pursuant to this Court’s Discovery Procedures, Miami Slice identifies two sets of matters to be heard:

1) Defendant Carnival Corporation’s (“Carnival”) objections to Miami Slice’s Requests for Production Nos. 1-11. *See* Exhibit B, at pgs. 5-10. Despite good faith conferral, Carnival maintains its objections, which Miami Slice now moves to be overruled and for production to be compelled.

2) Carnival’s objections to Miami Slice’s Request for Production No. 39. *See* Exhibit B, at pg. 15. Despite good faith conferral, Carnival maintains its objections, which Miami Slice

now moves to be overruled and for production to be compelled.

Local Rule 7.1(a)(3) Certification

Counsel for Miami Slice has conferred with counsel for Carnival in a good faith effort to resolve the issues raised in this Notice but has been unable to do so. The Parties have been engaging in on-going, good faith conferrals on various discovery issues. While the Parties have been able to resolve some discovery issues, the Parties have been unable to resolve the issues raised in this Notice. The Parties' conferral efforts with respect to the issues raised in the Notice included counsel exchanging multiple e-mails as well as discussing these issues in at least two teleconferences.

Exhibits to this Notice

Pursuant to this Court's Discovery Procedures, the following Exhibits are being filed with this Notice:

Exhibit A – Miami Slice's Proposed Order.

Exhibit B – Miami Slice's Source Materials Relevant to the Discovery Dispute, including:

- Miami Slice's Requests for Production Nos. 1-11 and 39, and Carnival's objections in response thereto (pgs. 2-16);
- In support of the relief requested, Miami Slice's Request for Admission Nos. 26-32, and Carnival's response thereto (pgs. 17-22); and
- In support of the relief requested, the Declaration of Stephen Holzen (pgs. 23-33).

Exhibit C – Carnival's Materials it Intends to Rely Upon, including:

- Miami Slice's Opposition to Carnival's Motion to Bifurcate (Doc. No. 22).

Exhibit D – Notice of Authorities

Date: December 11, 2023

Respectfully submitted by,

THE BRICKELL IP GROUP, PLLC

1101 Brickell Avenue
South Tower, Suite 800
Miami FL, 33131
Tel: 305-728-8831
Fax: 305-428-2450

/s/ A. Robert Weaver

A. Robert Weaver

Fla. Bar No. 92132

Email: rweaver@brickellip.com

Richard Guerra

Fla. Bar No. 689521

Email: rguerra@brickellip.com

Javier Sobrado

Fla. Bar No. 44992

Email: jsobrado@brickellip.com

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail on December 11, 2023 on all counsel or parties of record via CM/ECF filing.

/s/ A. Robert Weaver

A. Robert Weaver